

Notice of Allowability

Application No.

09/935,635

Examiner

George C. Neurauter, Jr.

Applicant(s)

GREEN ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed 13 December 2006.
2. ☒ The allowed claim(s) is/are 1-9, 11-34 and 36-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

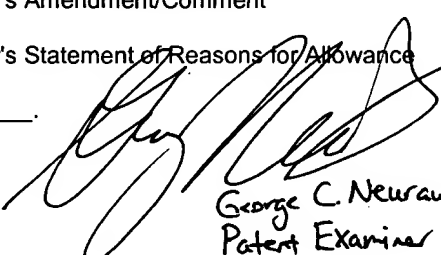
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


George C. Neurauter, Jr.
Patent Examiner

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Zilka on 28 March 2007.

The application has been amended as follows:

The specification is amended as follows:

On page 10, paragraph 0022, line 6, replace "service computer 122b" with "server computer 122b".

The claims are amended as follows:

Claim 1:

The limitation "if it is determined that the electronic file represents at least the potential security risk, then forwarding to the intended recipient a notification indicating that the electronic file represents at least the potential security risk;" is amended to recite "~~if~~when it is determined that the electronic file represents at least the potential security risk; then forwarding to the intended recipient a notification indicating that the electronic file represents at least the potential security risk;".

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Claim 29:

The limitation "determining if the first file format is one of a word processing file format type and a graphics file format type, the second file format being at least one of a TXT file format, a RTF file format without embedded objects, and a HTML file format without scripts if it is determined that the certain file format is the word processing file format type, the second file format being at least one of a JPB file format, a BMP file format, a GIF file format, the HTML file format without scripts, and a JPEG file format if it is determined that the first file format is the graphics file format type." is amended to recite "determining if the first file format is one of a word processing file format type and a graphics file format type, the second file format being at least one of a safe TXT file format, a safe RTF file format without embedded objects, and a safe HTML file format without scripts if it is determined that the certain file format is the word processing file format type, the second file format being at least one of a safe JPB file format, a safe BMP file format, a safe GIF file format, ~~the HTML file format without scripts,~~ and a safe JPEG file format if it is determined that the first file format is the graphics file format type."

Claim 37:

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The limitation "determine if the first file format is one of a word processing file format type and a graphics file format type, the second file format being at least one of a safe TXT file format, a safe RTF file format without embedded objects, and a safe HTML file format without scripts if it is determined that the certain file format is the word processing file format type, the second file format being at least one of a JPB file format, a BMP file format, a GIF file format, a HTML file format without scripts, and a JPEG file format if it is determined that the first file format is the graphics file format type." is amended to recite "determine if the first file format is one of a word processing file format type and a graphics file format type, the second file format being at least one of a safe TXT file format, a safe RTF file format without embedded objects, and a safe HTML file format without scripts if it is determined that the certain file format is the word processing file format type, the second file format being at least one of a safe JPB file format, a safe BMP file format, a safe GIF file format, ~~the HTML file format without scripts,~~ and a safe JPEG file format if it is determined that the first file format is the graphics file format type."

The following is an examiner's statement of reasons for allowance:

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Claims 1-9, 11-34, and 36-43 are allowed in view of the Applicant's arguments and the cited prior art. The independent claims 1, 4, 6, 31, 33, and 40 recite receiving at a computer an electronic file intended for delivery from a sender to an intended recipient and converting, at the computer, the electronic file from a first file format to a second and safe file format which is different in format from the first file format which prevents a computer virus from executing on a computer of an intended recipient of the electronic file, the converting being in response to determining that the electronic file represents a potential security risk to the intended recipient's computer, which, in view of the rest of the claim limitations, are distinguished from the cited prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

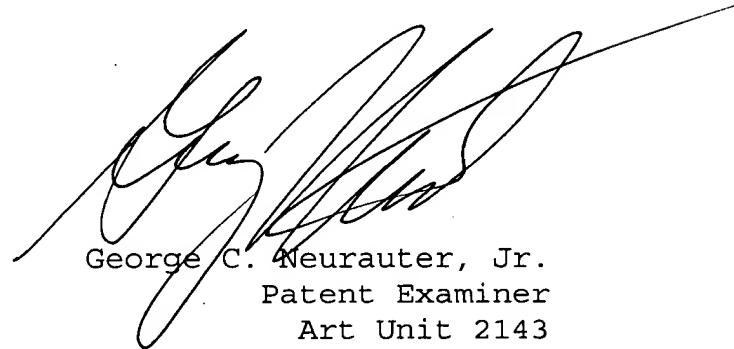
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is 571-272-3918. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



George C. Neurauter, Jr.
Patent Examiner
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